

**Environmental Management Site Specific Advisory Board Chairs Meeting
Meeting Summary
September 27-28, 2007
Paducah, Kentucky**

The Environmental Management (EM) Site Specific Advisory Board (SSAB) met September 26-27, 2007 at the Drury Inn in Paducah, Kentucky. The Citizens Advisory Board (CAB) for the Paducah Gaseous Diffusion Plant (PGDP) hosted the meeting. Participants included Chairs, Vice Chairs, Co-Chairs, other EM SSAB members, U.S. Department of Energy (DOE) Headquarters (HQ) and field staff, site coordinators, EM SSAB administrators, and support staff. The meeting was facilitated by Ms. Melissa Nielson, Director for the Office of Public and Intergovernmental Accountability. Many of the meeting attendees participated in a tour of the PGDP on September 26, 2007.

Participants:

- Hanford Advisory Board: Shelley Cimon, Member; Karen Lutz, Federal Coordinator
- Idaho National Laboratory Site Citizens Advisory Board: Lisa Aldrich, Support Staff; Richard Buxton, Co-Chair; Lori Isenberg, Facilitator; Bob Pence, Federal Coordinator; Willie Preacher, Member; Doug Weir, Member; Bruce Wendle, Member
- Nevada Test Site Community Advisory Board: David Hermann, Chair; Vernell McNeal, Member; Rosemary Rehfeldt, Support Staff; Kelly Snyder, Deputy Designated Federal Official (DDFO); Walt Wegst, Vice Chair
- Northern New Mexico Citizens' Advisory Board: Fran Berting, Vice Chair; J.D. Campbell, Chair; Lorelei Novak, Support Staff; Menice Santistevan, Support Staff
- Oak Ridge Site Specific Advisory Board: Steve Dixon, Vice Chair; Spencer Gross, Support Staff; Lance Mezga, Chair; Pat Halsey, Federal Coordinator; Ted Lundy, Secretary
- Paducah Gaseous Diffusion Plant Citizens Advisory Board: Allen Burnett, Chair; Judy Clayton, Member; Kim Crenshaw, Support Staff; Mitch Hicks, Federal Coordinator; Reinhard Knerr, DDFO; Shirley Lanier, Member; Bobby Lee, Chair-Elect; William Murphie, Manager Portsmouth/Paducah Project Office; Eric Roberts, Support Staff; John Russell, Member; Don Swearingen, Member
- Savannah River Site Citizens Advisory Board: Donna Antonucci, Vice Chair; Gerri Flemming, Federal Coordinator; Joe Ortaldo, Board Member; Sheron Smith, Support Staff
- DOE Headquarters:
James A. Rispoli, Assistant Secretary for Environmental Management
Douglas Frost, DFO, Office of Public and Intergovernmental Accountability
Karen Guevara, Director, Office of Compliance
Melissa Nielson, Director, Office of Public and Intergovernmental Accountability
Cynthia Rheaume, Director, Office of Budget
- DOE: Sandy Childers, Portsmouth Gaseous Diffusion Plant
- Other: David Abelson, Crescent Strategies; Yvette Cantrell, Remediation Services Inc.; George Johnson, Citizen; Tom Winston, EMAB; Gary Vander Boegh, Citizen

Wednesday, September 26, 2007

Opening Remarks:

Ms. Melissa Nielson welcomed all of the meeting participants and commended the Paducah Board on the tour of the Paducah Gaseous Diffusion Plant.

EM SSAB Chairs Workshop on Communication, Cooperation and Public Participation – David Abelson, Co-author “Politics of Cleanup”

Mr. Abelson said the “Politics of Cleanup” report was the result of a request by Congress. The Energy Communities Alliance (ECA), which is mostly local governments surrounding DOE facilities, conducted the report, which gives the report a slant in opinions since everyone involved is from a local government perspective. To develop the report, the authors met with DOE officials, regulators, local governments, contractors, and community members at individual sites.

The report was titled “Politics of Cleanup” due to the complexity of remediating the facilities. There are numerous technical, policy, and political issues. Within a legally compliant cleanup, there are a range of future uses including open space, industrial reuse, and ongoing missions. There are also a range of actions that parties use to clean up a site, such as removal actions, access restrictions, and treatment versus prohibited use or combinations. One solution does not fit all of the sites. There is no singular future use, cleanup level, or acceptable risk. The title recognizes that by identifying the interests of the parties involved and in developing appropriate solutions to conflicts as they arise, the cleanup process moves beyond a solely technical project to a broad-reaching dialogue for a successful cleanup.

Oak Ridge’s cleanup comes from the framework of an ongoing mission, with DOE being the steward. Mound’s cleanup is the end of the mission with community ownership of the site, and the steward is the local development corporation. At Rocky Flats, cleanup doesn’t end the federal mission. There are two stewards, the DOE Office of Legacy Management and the Fish and Wildlife Service. All of the decisions are worked out locally, bringing together DOE responsibility, DOE mission, and community values and needs.

There are four foundations for remediating the sites: the legal basis, developing DOE political support for the cleanup, developing congressional support, and developing community support. As an advisory role, the EM SSAB is part of the process but not a decision maker. DOE may accept a recommendation from the EM SSAB, reject the recommendation, or accept the recommendation in part. Joint solutions have to include community interests and values for a successful cleanup of the site.

The EM SSAB can maximize its role by speaking broadly for the community in advancing its interests and goals. Speaking with one voice is the goal for any community organization to provide strength in numbers. The structure of a successful organization

must include broadly represented elected and non-elected officials. If a member of local government does not participate on the Board, an effort must be made to include them in the process and communication must be achieved. Integrate what is learned into Board deliberations and facilitate the dialogue. Advocating interests is extremely important. Mr. Abelson said it would be beneficial for the Board's leadership to go to Washington a couple times a year to discuss their interests and issues, which is an expansion of how the EM SSAB is traditionally mandated.

Mr. Abelson said a key issue for consideration is the difference in openness, process, and negotiation. The Federal Advisory Committee Act (FACA) is an openness law. Process is how the CABs operate and bring things to the community. Improving the decision making process is fundamental. The challenge is to determine whether regulators are working with the community to meet the minimum regulatory requirements or engaging to improve the decisions. When the community has the opportunity to review the documents early in the process, 75-percent of the time issues are resolved before the public comment period. Regulators must work with the community to meet the public goal of cleaning up the site in a way that will permit the sites to become an asset.

Risk must be addressed in the cleanup process. Manmade risks versus natural risks, and tolerated and non-tolerated risks must be identified. Everyone's position on risk is important.

Ms. Berting said Northern New Mexico (NNM) is interested in forming a coalition and would like to know how to gain participation from the community to have broadly represented interests. Mr. Abelson said the ECA believes that forming coalitions is extremely important. Elected officials should be at the forefront, along with having dialogue with non-elected community members. A broadly represented coalition that isn't exclusive of groups is ideal. An ideal coalition did not exist at the three sites that were used in the document. An advantage to the ideal coalition is resolving the issues and going to the decision makers as a unified group. The ECA believes the most effective coalitions are those independent of regulators and DOE. Funding for the organizations is very important.

Mr. Campbell asked what the opinion was for the tribes on their ability to participate as a separate nation with the local government coalition or with other interest groups. Mr. Preacher said there are several tribes involved, and those tribes want their issues to be considered as sovereign nations. Communication is very important with the tribes, especially when discussing end states. The tribes are interested in the "cradle to grave" approach on issues.

Mr. Ortaldo said he has a hard time relating to an organization independent of regulators and DOE. Mr. Abelson said he did not mean free of working with DOE and regulators. He said he was referring to the legal origin of the organization being an independent body. It is extremely valuable to broadly represent the community to have organizations that stand on their own to have the independence to figure out the issues of importance and what to promote. That is a vastly different scenario than an advisory board that has a

mission dictated in part or in whole by the agency. Some of the sites work best with their current setup, depending on the specific needs of the site.

Mr. Wegst said Mr. Abelson stated earlier that there is no acceptable risk for cleanup but it was clarified by saying DOE may have an acceptable definition and the public may have a different definition. It seems like once the endpoint of the cleanup is decided there would be one acceptable risk. Mr. Abelson said EPA regulations provide for two orders of magnitudes on risk for individual cancer rates of 10^{-4} and 10^{-6} , which is an enormous risk range. There is not a singular standard; the rate can be closer to 10^{-4} or 10^{-6} or somewhere in between. Mr. Wegst said if the end use is determined, such as recreational, but it is changed to residual, the acceptable risk would change.

Mr. Wegst said the Nevada Test Site (NTS) CAB is starting a membership drive and wants to obtain representatives from one of the tribes. He requested suggestions from other CABs that have had the same experience.

Chairs Round Table Discussion

Each EM SSAB was given an opportunity to discuss their activities toward outreach, communication and public participation. Four of the sites provided presentations on their public outreach efforts.

Hanford Advisory Board (HAB): Ms. Shelley Cimon provided handouts and discussed HAB's public outreach efforts that are outlined below.

- The Hanford Tri-Party Agreement Public Involvement Community Relations Plan outlines Hanford's public outreach, including a Hanford Cleanup Line, internet addresses which are updated regularly, bi-monthly mailing of the Hanford Update newsletter and monthly calendar, Tri-Party Agreement publications, repositories for public information, news media activities, and public meetings.
- *The Future for Hanford: Uses and Cleanup* document and summary describes an array of options for ways that different parts of the site could be used in the future and identifies the cleanup scenarios necessary to enable these future uses to occur.
- *The Final Report on the Hanford Tank Waste Task Force* consists of principles which are germane to the overall Hanford cleanup and values which refer specifically to the implementation of the Tank Waste Remediation System.
- The Progress Report on Hanford Openness Workshop focuses on tangible outcomes that contribute to an environment in which openness does work at DOE.
- *The First 15 Years of the Hanford Cleanup* documents the obstacles, successes, and the various twists and turns of the first 15 years of cleanup at the Hanford site.
- The HAB brochure provides general information about the HAB.

Northern New Mexico Citizens' Advisory Board (NNMCAB): Mr. J.D. Campbell, Chair, presented the NNMCAB's public outreach efforts that are outlined below.

- The NNMCAB established a Speaker's Bureau presentation that provides an overview of the Board's mission, charter and scope of activities. A "ready to travel" PowerPoint presentation is available for CAB members to use in a public forum.

- Future and past poster sessions and forums are assembled to educate the public. These forums are televised and CDs are available for distribution.
- An Annual Report is published yearly that formally acknowledges the Board's accomplishments and membership information.
- A public website is available including Board minutes, recommendations, membership biographies, a public calendar, important links, and staff contact information.
- A new internal website for CAB members was launched in July 2007, including online workspace where members can edit and discuss draft recommendations, timeline of presentations, committee pages with work plans and membership, EM SSAB Guidance and Bylaws, members request section, and private access to email addresses and contact information for other Board members.
- Newspaper articles are used to target membership recruitment and radio interviews have supported the CAB's outreach.
- Pamphlets and flyers have been designed providing general Board information for public forums.
- The NNM CAB sets up information tables at meetings of citizen groups and organizations, invites member attendance at public meetings, and submits written comments during public comment periods.

Oak Ridge Site Specific Advisory Board (ORSSAB): Mr. Steve Dixon, Vice-Chair, presented the ORSSAB's public outreach efforts that are outlined below.

- Basic public outreach efforts include a monthly newspaper ad for all Board meetings, news releases, the *Advocate* newsletter, Annual Report, monthly Board agendas to newspapers and organizations, monthly announcements to the DOE *Public Involvement News*, sponsorship of public meetings, presentations to several organizations, briefings and special events, ORSSAB logo items to distribute at special events, and a Web site.
- A permanent exhibit was created and set up in the American Museum of Science and Energy in Oak Ridge.
- The Stewardship Education Resource Kit and workshop was developed and is made available for science teachers in area schools.
- Each year three students are chosen as non-voting members of the Board.
- An annual stakeholder survey is sent to local citizens with copies distributed at local businesses and organizations. The survey also available on the ORSSAB Web site (www.oakridge.doe.gov/em/ssab).
- Meeting notices are placed on contractor websites and emails are sent to all local contractors.
- Board meetings are broadcast on public access cable television.

Savannah River Site Citizens Advisory Board (SRS CAB): Ms. Donna Antonucci, Chair, presented the SRS CAB's public outreach efforts that are outlined below.

- SRS distributed *The Board Beat*, which is a semi-annual newsletter about SRS and CAB activities.
- The bi-monthly Board meetings are advertised in ten newspapers and on local radio

stations, in addition to public service announcements.

- Public notifications of all committee and full Board meetings are sent to all interested stakeholders and SRS employees.
- Local papers frequently run SRS CAB activities in their meeting calendar sections and the majority of CAB meetings are covered by local papers.
- The Board provides press releases before and after every full Board meeting.
- The SRS CAB website contains information regarding all Board recommendations, meetings, schedule, special reports, newsletter, and informative related links.

Mr. Ortaldo asked what percent of responses are received on the ORSSAB public stakeholder surveys. Dixon said 2-3 percent is the normal but Oak Ridge receives approximately 5-percent of responses each year.

Mr. Buxton said the public outreach in Idaho is done by DOE. Each month the Board is given a list of activities but they are not involved a great deal in public participation.

Mr. Campbell said he does not feel that public participation in NNM is as effective as he would have liked but they will continue to pursue a proactive approach. It has been beneficial to share the experiences of the other Boards.

Mr. Winston, Ohio Environmental Protection Agency (EPA), said he is part of the Environmental Management Advisory Board (EMAB) and actively follows and participates in EM SSAB stakeholder issues. Stakeholder involvement is critical for progress at the DOE sites. He applauded the CABs on their challenging efforts.

Ms. Fleming, SRS Federal Coordinator, said community involvement is an excellent topic for discussion.

Public Comment

Mr. Vander Boegh, a former PGDP employee, said that he had lost his employment in 2006 and that is under appeal. He said he has brought forward a citizen's investigation on cleanup issues and represents sick workers from the PGDP site. He invited everyone to attend the County Fiscal Court Meeting that evening on this issue. Mr. Vander Boegh said he has been speaking with individuals at Rocky Flats about sick workers. The Boards all have a lot of common problems. He said one of his concerns is DOE leaving the contaminated sites to the county to be stuck with cleanup down the road. He asked any sick workers to contact him as Vice-President of Commonwealth Environmental Services. Mr. Vander Boegh said the public must get more involved.

Thursday, September 27, 2007

Mr. Murphie, Portsmouth/Paducah Project Office Manager, welcomed all of the meeting participants. He has worked with all of the sites that are mentioned in the “Politics of Cleanup” document. He hopes that the sites can make positive efforts to move the discussion process forward and resolve the big picture cleanup efforts as quickly as possible.

Mr. Burnett, Paducah CAB Chair, welcomed all of the meeting participants. He hoped everyone enjoyed the tour of the site and thanked the sponsors, contractors, staff, and all others that helped make the event possible.

Mr. Rispoli, Assistant Secretary for EM, welcomed all of the meeting participants. He said it is energizing to see the people that are part of the EM SSAB and their zest for community service. He said each of the CAB’s top three issues are important to him. He will take back what he has learned to his leadership team and discuss what can be done to address or resolve the issues.

Round Robin: Top Three Issues from Each EM SSAB

Each EM SSAB was given an opportunity to highlight current issues facing its board and site.

SRS CAB: Ms. Donna Antonucci, Vice-Chair and Mr. Joe Ortaldo, Waste Management Committee Chair, presented the SRS CAB’s top issues.

Tank Closure

- SRS has 51 tanks of sludge and salt that have accumulated over the series of operations. The Salt Waste Processing Facility, Tank Farm Operations, and the DWPF/Saltstone Operations must be in operation to meet the Federal Facilities Agreement schedule.

Plutonium Disposition Decisions

- DOE's consolidation and disposition plan for plutonium is to bring the plutonium to Savannah River from across the complex and process it in the site’s Mixed Oxide Fuel Fabrication (MOX) Facility. Some of that material cannot go to the MOX Facility, and one of the options is for DOE to build a vitrification plant. The SRS CAB wants to ensure that the plutonium has an exit strategy and will safely leave the SRS to be stored.

P-Reactor End State Options

- The end state options for the P-Reactor are currently being accessed in the Performance Assessment Modeling and In-Situ Alternatives Study. Both are going to determine the options for this robust, hardened facility and the feasibility/risk for each option.
- The defining central issue is whether to demolish the entire facility or some

portion of the facility. The decision to decommission the P-Reactor under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) remedial actions ensures greater participation from regulators and stakeholders.

- SRS wants others to recognize that this process used to decommission the P-Reactor may be transferable to other sites.

PGDP CAB: Mr. Allen Burnett, Chair, presented the Paducah CAB's top issues.

Nickel Disposition

- The CAB issued a recommendation asking that DOE proceed with a solicitation for disposition of the nickel ingots at the Paducah Gaseous Diffusion Plant.
- The solicitation for nickel ingots at the PGDP should be separate from the solicitation for Oak Ridge nickel. Potential bidders should not be limited or prevented from locating operations in the Paducah community. Maximum benefit to the community and acceleration of remediation at the site should be encouraged.
- DOE should issue a separate solicitation for disposition of the aluminum ingots at the PGDP if economically viable.

C-400 Area Groundwater Remediation

- Remediation of primary groundwater contamination is scheduled to begin in November 2008. Effectiveness and overall impact of Electrical Resistance Heating to reduce trichloroethylene (TCE) concentrations in the groundwater plume will be determined.

TCE Microbial Degradation

- Studies are being done to determine if aerobic or anaerobic biodegradation is occurring in the groundwater. The study may set precedent for other sites with TCE contaminated groundwater.

Ms. Cimon asked if the PGDP CAB had proposed that DOE consider rolling the money from the nickel back into cleanup of the site. Mr. Burnett said the initial recommendation was to get the ball rolling. Other potential recommendations on the nickel will follow.

Mr. Ortaldo said there are studies being done at the SRS on microbial degradation. He hoped that the two sites are sharing information. Burnett said there is participation from the SRS in the study.

ORSSAB: Mr. Lance Mezga, Chair, presented the ORSSAB's top issues.

Completion of the East Tennessee Technology Park and Balance of Reservation Cleanup Milestones have been delayed due to budget and scheduling. Issues with the K-25 project closure have driven up costs and schedule. Other significant projects have met challenges along the way.

Initiation of the Integrated Facility Disposition Project

- Work that should have been in the original scope of work for the integrated facility disposition project must be added to the project closure plans so that all legacy problems are resolved in Oak Ridge.

Stewardship – Long-term Stewardship Needs at Ongoing Mission Sites

- There are two locations on the Oak Ridge site that are ongoing mission sites. There is concern with the transition of long-term stewardship to the ongoing mission programs ensuring effective coordination, communication, budgeting, scheduling, and planning of activities as stewardship moved on into the future.

Mr. Campbell asked how Oak Ridge is working with EM and other agencies on this issue. Mr. Mezga said the ORSSAB has made a couple of recommendations to Mr. Rispoli with regards to overall stewardship. Working groups need to be established and relationships with the problematic organizations to ensure overall stewardship occurs. Mr. Campbell said the EM Boards are limited in advising other organizations within DOE but there is a need to integrate decisions on remediation with Long-term Stewardship. Mr. Mezga said the relationships have occurred mostly due to Oak Ridge EM working hard to ensure the interfaces occur rather than formal mechanisms in place for that communication.

Mr. Rispoli said DOE project management for that final phase is called Critical Decision Four (CD-4). When the sites are finished, EM communicates to the long-term steward and after the document is signed, it is sent to the next higher common level, and the money from the EM budget is then transferred to that office. All of the roles and responsibilities are defined and agreed to along the way. The transfer process documents can be shared with the EM Boards as they go through that step. Mr. Mezga said it would be helpful for the process to be effectively communicated to the Boards at ongoing mission sites for process and execution. Mr. Rispoli said he would record that as an action. He said each site is responsible for ongoing environmental compliance.

NNMCAB: Mr. J.D. Campbell, Chair, presented the NNM CAB's top issues.

EM Funding and Consent Order Obligations

- There is a 50-percent shortfall in EM funding to meet consent order obligations projected over several years. There is a need for DOE, Los Alamos National Laboratory (LANL) and New Mexico Environmental Department (NMED) to meet Consent Order Objectives using a Transparent Risk-Informed Decision Process to evaluate and select optimal life-cycle remedies. The NNM CAB has submitted 14 recommendations to DOE on baseline change proposals. The validated baseline needs to fully support EM funding to meet the 2015 closure goal.

Closure of Material Disposal Area G and Potential Expansion Rad Waste Facility in Area G

- There is a planned Public Participation Program on Closure Alternatives for

MDA-G on April 16, 2008, to help the public understand the alternatives and complexity associated. An explanation of closure alternatives is needed for MDA-G using the Risk-Informed Decision Process that has been recommended by the National Academies of Sciences.

- There is a need for integration of long-term-stewardship in decisions for all LANL Remedies.
- Public participation is needed on any future expansion of Rad Waste Facility at Area G. There was a consideration in 1999 in the Environmental Impact Statement Record of Decision (ROD) to build more pits in LANL, which is under review. NNM wants public participation if the decision for further expansion is decided.

Groundwater Monitoring and Protection at LANL

- Many new groundwater monitoring wells are needed across the LANL Facility to produce a reliable monitoring network.
- Hundreds of thousands of water samples have been collected and reported in the databases but the data needs to be qualified from non-representative samples in the database. It is difficult to see if there are actual non-detects or if it is an impact from drilling fluids.
- The 17 recommendations from the National Academies of Sciences Committee Report should be implemented for improvement of the groundwater monitoring program at LANL.
- There is a need to better understand the rate and extent of contaminant migration from LANL Facilities. The NNM CAB has proposed a recommendation to hire a group of national experts to assist in the groundwater monitoring program for the best advice possible for DOE and LANL.

Mr. Mezga asked if representatives from any of the other sites are participating in the groundwater monitoring panels to understand how that can be factored in to other groundwater monitoring systems. Information is being shared and the recommendations from the National Academies of Science was provided to the HQ staff. NNM is not alone in these issues so HQ should share that information with others. Ms. Cimon said parts of the HQ's Science and Technology Roadmap have been implemented. Mr. Rispoli said lessons learned from sites are shared and applied to other sites. Mark Gilbertson has developed a Consumer Reports booklet from an EM SSAB suggestion giving the ground color codes identifying plumes, threat to community, and if there is progress with the current actions. Mr. Rispoli said for the next meeting he would invite Mr. Gilbertson or one of his representatives to discuss the booklet. Mr. Rispoli agreed that DOE still needs to do more but they are responsive to the suggestions. Ms. Nielson said Mr. Gilbertson had attended the last chairs meeting and is participating in the Chairs conference calls.

Mr. Campbell said Mr. Gilbertson had suggested that the groundwater issues become a future topic for his group. He said there is considerable need to discuss these issues and recommended that the initiative be brought forward. The uncertainty associated with the plumes is the critical aspect. Ms. Antonucci asked if NNM had put together a task force with large members of the population to exchange information. Mr. Campbell said there

is relatively little public participation. The NNM CAB is actively involved but a separate task force has not been put together.

NTS CAB: David Hermann presented the NTS CAB's top issues.

NTS Groundwater Contamination

- There were 132 million curies of radioactivity released into the NTS subsurface regions, which resulted in on-site groundwater contamination of which 60% of the total radioactivity inventory is found within Pahute Mesa. No off-site contamination has been detected. The DOE Nevada Site Office (NSO) continues to work with the CAB regarding strategic placement of additional wells located down gradient from the region where major testing occurred and up gradient of ranchers and residents. The groundwater modeling is based on current risks that are changing due to tremendous population growth and construction throughout Southern Nevada. The adjacent seismic zone further complicates modeling efforts and contributes to uncertainties.
- Stakeholders are concerned that the DOE strategy allows too much time for characterization. Answers on contaminant locations and potential for migration are needed now. The only source of water for rural communities in the desert surrounding the NTS is groundwater. The State regulators are concerned that as water is continually drawn down, the potential for contaminant migration increases, and may move in directions that are not predicted with current models. Bourgeoning growth throughout Southern Nevada demands that DOE/NSO be continually vigilant to address potential off-site impacts
- At the March 2007 EM SSAB Chairs Meeting discussion, comments were made by Secretary Rispoli indicating that his groundwater funding priorities are focused on other sites throughout the DOE complex with more pressing needs.

CAB Bottom Line

- A proactive approach should be taken to ensure that focus remains on determining the extent of NTS groundwater contamination and its potential for offsite movement
- Adequate funding must be provided for an accelerated strategy to emplace a series of wells up gradient of nearby, expanding communities to collect data; support groundwater modeling efforts; and be eventually used for monitoring and "early warning." Current contaminant boundaries must be identified, and potential for contaminant migration must be predicted. Changing risks and potential effects must be understood and stakeholder concerns addressed.
- Radioactive groundwater contamination at the NTS is not a low-priority problem to the residents of Southern Nevada.

Idaho National Laboratory Site CAB: Mr. Richard Buxton, Co-Chair, and Mr. Willie Preacher, Member, presented the INL CAB's top issues.

Groundwater

- The State of Idaho has a settlement with DOE and the Navy regarding the Snake River aquifer, which extends from Yellowstone National Park through Southern Idaho and into the Columbia River.
- The aquifer feeds to hundreds of farmers and towns down stream; its contamination is of grave concern to all that use it.
- Although contamination has not been found downstream, the INL CAB plans to remain alert and monitor the situation.

Reprocessing

- There is concern that if reprocessing is not resumed soon Yucca Mountain will not be able to accommodate the waste slated to be disposed there.
- Further delays in opening Yucca Mountain will affect the Idaho Settlement Agreement to get waste out of Idaho by 2035.

Buried Waste

- DOE is in the process of determining whether buried waste should be remediated and disposed elsewhere or capped in place.
- INL CAB would like to address new issues concerning the long-term stewardship on what will happen to the facility from “cradle to grave”. The issues should be addressed prior to the process, and the public should be involved.

Mr. Mezga said Oak Ridge has raised the question as to whose role it is to participate in legacy waste issues, and it was determined that it was the ORSSAB’s job to support Mr. Rispoli and beyond the EM SSAB scope as it is currently defined. An issue in Oak Ridge is whether legacy issues are being created through new programs. Ms. Berting said there is an essential need as to what is going to happen with waste. It needs to be discussed early in the process to factor in the costs and efficiency. She said this should be focused into the EM consideration for scope of the CAB. Ms. Cimon believed this should be included in the mission of the CAB, especially looking at comprehensive risk assessments. Mr. Rispoli said the EM FACA charter would have to be reviewed and at this time, the Boards are only authorized to do what is in the EM FACA charter. Mr. Rispoli said he would review the issue. Mr. Mezga said under the current charter, one point of opportunity for interaction is on the disposition maps.

Hanford Advisory Board (HAB): Ms. Shelley Cimon, presented the HAB’s top issues.

Water Treatment Plant

- The Water Treatment Plan startup schedule was postponed from 2011 to 2019 without regulator and stakeholder involvement.
- The HAB is concerned because the tanks holding the waste that will be vitrified in the Water Treatment Plant are well beyond their design life.
- There was a recent leak during waste transfer from single to double shell tank.
- HAB is still waiting on an alternative low-level waste LLW path forward.

Pre-1970 Transuranic (TRU) [Contact-Handled and Remote-Handled (RH)]

- Hanford has not developed a plan to characterize, retrieve, or dispose its pre-1970 suspect TRU waste.
- HAB wants to see integration between the Risk Assessments and End States decisions especially if there is an impact on the potential for the groundwater to be affected if it is left in place.
- There is also concern whether the (WIPP) Waste Isolation Pilot Plant will have room for Hanford's RH.

Groundwater/Central Plateau Cleanup

- Consideration of stakeholder values was identified in a recently issued Decision Flow Chart, which identified citizen input on decisions affecting groundwater clean-up.
- Groundwater contamination extends across the site; integration across Hanford from field offices and contractors is very important and should follow through to new contracts.
- HAB is excited to see the implementation from the goals of HQ's Roadmap. Other sites should consider asking for an update on how this will affect their site.

Ms. Lee said the PGDP CAB would like to see the charter of the CAB extended due to the minimal public participation and there is a shared disposition at the Paducah site. There is a perception that the PGDP CAB cannot address the issues at hand. There have been several attempts for active participation but the public believes that the CABs hands are tied for current issues that are affecting the community.

Mr. Ortaldo said several of the CABs are concerned with loss of corporate memory for each CAB. Each CAB has complex problems and it takes years for new members to come up to speed depending on their background. Members are only allowed six years on the Board but both ends must be served, the turnover and the need to maintain stability and credibility.

EM Presentation - James Rispoli, Assistant Secretary for Environmental Management (EM-1)

Mr. Rispoli thanked those responsible for the meeting's preparation and extended his personal gratitude to those individuals who volunteer their time to serve on the EM SSAB and contribute to the EM program. The top three issues from each site are discussed at leadership meetings with individuals ranging from site management levels to key functional groups at HQ. CAB dialog with the site managers on relevant risk is very important. The needs of all programs cannot always be satisfied with the amount of resources available and EM is no different. DOE EM concentrates on the highest relative risk at each site. Due to the nature of the work, it is hard to hire the people with the skills needed to do the work at the sites.

Mr. Rispoli said his key areas for discussion are safety, project management, acquisition

and human capital. The DOE is doing some of the most hazardous work in the nation. DOE EM should only be doing the work that is absolutely essential to get the job done and protect workers and human health in the environment. The things that are discussed in these meetings involve the workers that are doing the work. DOE does track safety and the safety records are quite good. Despite the hazardous nature of the work which is determined at a nuclear standard, EM workers are exposed to a much lower probability of life altering events or lost time accidents than the nation as a whole or DOE.

Mr. Rispoli said major breakthroughs have been accomplished in project management. DOE EM applies the best project management to get the product needed within the money budgeted and on schedule. EM is implementing a process for independent reviews for every project that is ongoing at the sites. Independent people without a vested interest are used to tell DOE if the costs and schedule are reasonable for the near term and for the lifecycle cost of the work. DOE is 60 percent into the process and is targeted to be 100 percent before the congressional budget hearing.

Credibility is important with the Office of Management and Budget when the five-year plan is being developed and when the sites work with the regulators. Monthly reports are being developed on all projects and all of the federal employees that manage the projects are certified. Mr. Rispoli said he personally reviews all 83 projects quarterly for quality aspects, risk aspects, cost and schedule. When this process was started, 15 projects were over cost or behind schedule, now there are four. One of the projects is at Los Alamos, two at Oak Ridge and one at Portsmouth/Paducah.

A “Best in Class” project management initiative is currently being administered. The National Academy of Public Administration (NAPA) is consulting with DOE EM with the Navy equivalent and the Corps of Engineers equivalent and has found that DOE EM is significantly short in federal management in numbers and skill sets. It was found that DOE EM is one-half to one-quarter short of staff that it should be to manage the size and complexity of the effort that is being conducted. The Corps of Engineers have visited all the sites and determined the skill gaps in numbers and depth of knowledge. The second phase of the process is asking the Army to assist DOE EM in contract support by plugging the skill gaps at the various sites until those positions can be filled long term.

The first year Interim Program called the Professional Development Corp has been implemented with 22 new people hired. Over 30 will be hired next year. In DOE EM, there are more federal employees over the age of 60 than under the age of 40. The intention is to rebuild the capacity to move forward and manage these efforts and furthermore provide leadership of the future for the various sites.

An Acquisition Center has been built to aide in the procurement process. These individuals will only work on procurements. The technical experts from each site will meet with these individuals for a more timely procurement. The center is up and running and ready for the next round of procurement.

A federal workforce currently exists of about 1,400 people. In 2000, there were 2,800

people in the DOE EM workforce and 300 of those individuals were from Rocky Flats and the Ohio sites that have closed. DOE EM is out of proportion with the nature and extent of the work. A skill gap is being processed across the complex to rebuild the capability. Hundreds of people must go through rigorous examinations to prove that they have the skills to do the job. There is a human capital management plan and DOE EM understands what needs to be done.

The NAPA review looked at acquisition and project management and human capital throughout the DOE EM organization. Three observation papers were developed with 57 proposals. 55 of the 57 recommendations will be implemented. These recommendations include how DOE EM does business, organization and posture for the future.

Mr. Rispoli said the entire HQ team was realigned when he became the Assistant Secretary for EM. Mark Gilbertson is the Deputy Assistant Secretary for Engineering and Technology, which includes development and dissemination of technology for the program. A booklet containing the ranking methodology for groundwater was developed due to a suggestion from the EM SSAB. Gilbertson overviews the internal technical reviews that are being done to ensure current approaches are most likely to yield success and that the taxpayer money is being spent wisely.

The Deputy Assistant Secretary for Acquisition and Project Management is Jack Surash. He oversees the procurement center, contract management, and approving project management performance across the complex.

The Deputy Assistant Secretary for Regulatory Compliance is Frank Marcinowski. He deals with regulatory agreements across the complex. Ms. Nielson and Mr. Frost are part of this group. Mr. Marcinowski works with the regulators on recognizing risks. Regulatory milestones are not needed if they do not yield a relative important risk reduction.

A five-year planning function has been added for more predictability and stability rather than one year at a time on budget issues. Safety and Performance also plays a significant role in everything that is done across the complex.

A new office is being developed that deals with internal and external communication, which was recommended by the NAPA. DOE EM wants to create the ability to get the news out rather than be reactionary. The community at large needs to know what is going on and understand the issues better.

DOE EM has two advisory boards, the EMAB and the EM SSAB. Both are established under FACA. The EMAB focuses on corporate management issues at a higher level such as risk management, budget prioritization and communication with stakeholders. The EM SSAB primarily advises the site managers on site specific issues based on community input. Both Boards are valued very much.

Rispoli said he believes the “Politics of Cleanup” is a very helpful report and has asked

all of the site managers to read the report.

Mr. Rispoli thanked the Boards for working with Ms. Nielson on FACA compliance and ensuring EM can operate in a way that does not jeopardize the existence of the Boards.

Congress has asked EM to look at Greater than Class C waste in the Environmental Impact Statement process. Input is requested all across the country on what can be done with this waste.

Rispoli said all of the sites are dealing with tough issues and asked that everyone remain professional and think about the other person's position as we deliberate how to move forward. The public is often fearful of the things that they do not understand so the more knowledgeable we can be on the issues that are discussed the more productive recommendations can be. It is better to deal with the basis of knowledge than the basis of emotion.

Mr. Mezga said the ORSSAB appreciated the opportunity to participate in the NAPA review last year. Two of the projects behind schedule are the demolition of K-25 and K-27 and the Molten Salt Reactor. He asked if these projects would be candidates for an Independent Technical Review. Mr. Rispoli said HQ is working with the contractor on the technical and safety aspects of the Operational Readiness Review; but ITRs on the projects are not being conducted.

Mr. Buxton asked how a positive approach can be taken towards communication. The news is always negative and there are positive things going on at the sites. Mr. Rispoli said that the workforce needs to be recognized for the positive work that is accomplished. Part of the charter of the new communications groups will be to deal with the counterparts of each site and engage the community and communicate the good work to reinforce the good that is being done for the community. Mr. Burnett asked if the communications group would be used to improve the communications between the sites on common issues. Mr. Rispoli said the Office for Regulatory Compliance is separate but they will interact with the communications group.

Ms. Berting asked if the HQ reorganization would remain after the 2008 elections. Mr. Rispoli said the current structure was due to the NAPA review and getting the new offices up and running will increase the likelihood that the transitions will remain the same.

Ms. Cimon said weighing the risks is part of the budget process and hopes EM gets back to revealing the targets so the EM SSAB can weight in. Mr. Rispoli said a five-year profile budget was provided to Congress and all of the site managers were directed to work towards that five-year profile. This allows the site managers and regulators to determine what fits inside that five-year profile.

Mr. Campbell said the NNM CAB has been briefed on the Quarterly Project Management Reviews and realizes that this is a very effective means. Mr. Rispoli said there is a consistent format across the complex so that the Earned Value Management System

Indicator can determine which projects are on cost and schedule. If the CABs are interested in the Quarterly Project Management Reviews, discuss the idea of an overview at a future meeting with Ms. Nielson. Mr. Campbell encouraged the other CABs to request that information from their site managers.

Mr. Campbell suggested that the EM SSAB begin discussion on the process of remediation decisions as the long-term stewardship evolves into the future. Mr. Rispoli said under the existing charter, each Board Chair could consult with the site manager in the buildup for Critical Decision 4. There is EM work being conducted that documents what has to be endured after turnover to the host and the budget estimate. That is a legitimate role within the charter.

Public Comments

[Because Mr. Vander Boegh stated that he would not be available for the regularly scheduled public comment period, he was given an opportunity to speak at this time]

Mr. Vander Boegh, citizen, praised Mr. Rispoli on his safety standards. He said he would like to see more public involvement and independent assessments. There is a fear of retaliation and intimidation at the PGDP and there are sick workers in the area. He said he is in favor of waste going into a landfill and not spread over a countryside. Mr. Vander Boegh said 150 workers were terminated from their jobs last April at the PGDP; that may account for part of the DOE shortage in employees.

“News and Views” – Melissa Nielson, Doug Frost

Mr. Frost said he is glad to see the integration of the public participation program. EMAB and the EM SSAB are attending each other’s meetings and the Intergovernmental Meetings have had a number of EM SSAB attendees. This years Intergovernmental Meeting will be October 16-18.

Mr. Frost congratulated four of the CABs that have adopted new Operating Procedures. The goal was to have greater compliance with FACA and greater consistency in administration across the complex in the CABs. He said the best advice is local advice and it is structured this way to get the best advice from the people at the site involved with the problems and successes at the site. The recommendations from the CABs have been more focused and specific on EM issues and very practical which are more achievable. Mr. Frost said he enjoyed working with the Boards and values the contributions.

External Involvement and Input to the EM Budget Process – Cindy Rheaume, Director, Office of Budget

Ms. Rheaume said the initial guidance that outlined EM SSAB involvement in the budget decision-making process was issued to the site managers on February 1, 2007. Subsequently, there was some confusion regarding what and when the budget

information could be released. A determination was made to issue clarifying guidance which is currently being drafted.

The clarifying guidance includes stakeholder participation in the EM budget process, and emphasizes that discussions on funding targets beyond the budget year are to be provided at the site level only. The new guidance provides an example of the types of information to be shared with the EM SSAB and recommends that the EM SSAB and other stakeholders identify deviations from EM's overall prioritization scheme, if conditions warrant it. The guidance also outlines at what point the EM budget request becomes embargoed and provides a timeline for involving the EM SSAB in the budget process.

Ms. Rheume presented a timeline showing EM SSAB and other stakeholder involvement in the budget process. She emphasized that multiple changes are still being made to the Integrated Priority List for FY09.

The project baselines are currently in the validation process. The five-year plans will be adjusted to match the project baselines. The five-year plan is within EM control and when validated can be used to plan five years in advance. Appropriations cannot be planned, only requested, but if there is an appropriation of a certain dollar amount, EM can say what they would do with that amount.

Mr. Mezga asked what EM expects from the EM SSAB on the budget review. Ms. Rheume said that she would like to see the risk ranking of the projects at the site within the target number and if there were increments or decrements to that target number, what would happen from a compliance standpoint. Mr. Mezga said that below the project breakdown structure (PBS) level, it is difficult to determine what work will be performed without the project level information. He said it would be helpful to see the validated baselines to understand the basics of the targeted numbers that are created. Ms. Rheume said that currently EM is heading in that direction. Mr. Mezga suggested that EM advise the site managers that those numbers can be shared. Mr. Ortaldo said the SRS CAB is interested in the integrated bottom line impact of the budget on the work packages. Ms. Cimon said the CABs need sufficient budget planning information by PBS at the target level and over-target level for the current planning year and four out years in order to advise DOE on the EM budget. Ms. Nielson said the EM SSAB would receive a briefing as to what the Administration has requested within 30 days of Appropriation. Ms. Guevara said that during the Baseline Change Proposal (BCP) process, if the appropriation provided is not at the level that was envisioned in the baseline, a baseline change proposal is done to indicate what the rescheduling of work will be. She said in working on the BCP, the site would be able to communicate in greater detail what that appropriation means.

Rheume presented the EM funding history from FY01 through FY13 target.

Mr. Campbell encouraged that the other Boards request the Quarterly Project Manager Reviews from the site managers. It shows if the project is on schedule and budget and also identifies the risks. It is very complex but the highlights are important with respect to

current funding.

Pre-1970 TRU – Karen Guevara, Director of the Office of Regulatory Compliance – Tom Longo, NNSA

Longo said Transuranic-contaminated materials were first created during the Manhattan Project. From the 1940s to 1970, TRU-contaminated wastes was disposed in shallow land burial and inextricably co-mingled with LLW in pits and trenches at five sites or was dumped in the ocean. The wastes were dumped or placed without benefit of high-integrity packaging and there was little regard to long-term consequences; the focus was on reducing worker exposures.

Concerns over the disposal practices led to a ban in 1970, establishment of a “TRU waste” category and retrievable storage of TRU waste pending availability of repository site. A distinction of sorts was drawn between pre-1970 disposed-of waste and post-1970 stored waste.

Between 1970 and 1980, there was a lack of parity between remedial plans for pre-1970 and post-1970 wastes, which stirred controversy for the Atomic Energy Commission, Energy Research and Development Administration, and DOE. DOE was mostly self-regulating until approximately 1986. Reference plans for managing buried TRU in place were set out in President Reagan’s 1983 *Defense Waste Management Plan* to monitor sites, take remedial action as necessary, periodically reevaluate safety, and conduct technology development as needed. The first GAO report on buried TRU waste was in 1986 and DOE gave its response in 1987.

The AEC and successor agencies resisted repeated calls for blanket exhumation of all buried TRU sites due to concerns over worker-retrieval risk, high costs and dispersion potential. Pilot retrieval campaigns in 1970s generally affirmed worker risk concerns. Several of the NAS committees cautioned against exhumation absent a significant radiation hazard. Public risks asserted to be low due to immobility of transuranics in the environment. In 1987, costs of full retrieval were estimated at \$6-10 billion.

In 1997 the WIPP NEPA documents suggested that the risks posed by TRU sites are extremely small even under hypothetical no-action scenario. The Institute for Energy and Environmental Research (IEER) report “Containing the Cold War Mess” highlights inventory discrepancies in past reporting. The WIPP facility opened in 1999 and in 2000, DOE responded to the IEER report affirming the need for local remedial decision-making under the Resource Conservation Recovery Act (RCRA) and CERCLA regulations. In 2006, the Subcommittee on Energy and Water Development requested that the Government Accountability Office (GAO) evaluate the buried TRU situation. The GAO report was developed in June of this year.

Longo said there are complications in the difference between pre- and post-TRU waste. There are large uncertainties in waste inventories on the radiological and the chemical side for the buried TRU because there were no requirements up until 1970 to track the

transuranic isotopic content of the waste. The only means of identifying the waste is by backtracking through nuclear accountability records and from process knowledge. Official definitions of TRU waste have changed over the years and confusion with retrievably stored TRU since stored waste is often buried. Either buried TRU or retrievably store TRU can be disposed of onsite at generator sites or sent offsite to WIPP, depending on specific configuration and regulatory direction. The terminology differs from each site.

Past reference plans and policies that focused on in-place disposal have been superseded by RCRA/CERCLA remedy selection criteria and site-specific negotiations with regulatory authorities. A range of remedies must be considered on a site-specific basis with public review including a full retrieval option. In the Interim ROD, Oak Ridge will surface cap and utilize land use controls. According to the current ROD, SRS will surface cap and utilize institutional controls. In future RODs, Idaho has targeted retrievals and in-situ grouting, with evapotranspiration (ET) capping, vapor extraction and institutional controls. Hanford has targeted retrievals, surface capping and institutional controls. LANL is targeted for ET capping and institutional controls.

Longo said the initial charge for the 2007 GAO Study on Buried TRU sites was to evaluate risks, legal requirements, remedial plans and costs of buried TRU site remediation. GAO visited all five sites and interviewed state and EPA regulatory officials. The GAO noted that final remedial plans at the sites with the largest inventories remain largely undetermined. The preliminary total cost for remediation of buried TRU sites was determined to be \$1.6 billion, but that could increase dramatically if more focus was placed on retrieval. At this time, GAO offered no recommendations on how to handle the buried TRU problem any differently than what DOE EM is currently doing. The document is available at www.gao.gov and the document number is GAO-07-761.

Mr. Ortaldo said the SRS CAB developed a focus group a few years ago that addressed leaving the buried waste in place and prepared a report that supported the actions that were taken. He can provide the document if anyone is interested. Ms. Guevara said there is a Five-Year Remedy Review requirement under CERCLA law that requires DOE to determine if the selected remedy remains effective as intended and if not corrective actions would be necessary.

Mr. Campbell said the NNM CAB would be discussing with the public in April alternatives for closure on four pits with significant amounts of TRU waste mixed with hazardous and LLW. The goal is to explain the risks associated with leaving the waste in place. He asked what DOE has done long-term to reliably monitor the waste other than the five-year reviews. He also asked what the supplemental remedies are that might be put in place on top of a mesa. Mr. Campbell invited Longo to the April meeting to help explain the issues.

Ms. Cimon said one of the big issues for Hanford is timing and getting the characterization done to determine what needs to be exhumed and what can stay in place. There is only a window of time to get waste sent to WIPP so DOE needs to be proactive.

Longo said he was unsure of what the schedule would be. Ms. Cimon requested a timeline on these issues.

EM SSAB Product Development Discussion

After discussing several possible recommendations, the EM SSAB drafted two letters for the Chairs' consideration. The first letter recommended that long term stewardship be incorporated into new EM projects and legacy waste decisions. The second letter requested additional participation in the EM budget process including a validated baseline for each site with a critical path schedule at a level showing the status of major projects within the PBS.

Mr. Ortaldo suggested the need for a third letter to address the loss of "corporate memory" in the EM SSAB resulting from the six-year term limit in the revised Charter. Ms. Nielson said the term limits were not intended to do away with expertise. The term limits are intended to give as many citizens as practicable the opportunity to serve and learn about EM and to spread the word. Non-board members may serve and vote on a subcommittee, but not at full Board level. Each Board had considerable freedom to resolve this issue in a manner that would address its concerns as long as this is done within the Charter and the Board's budget.

The Chairs' agreed to endorse the concepts contained in the two drafted letters to EM. The Chairs will have four weeks to review the letters and make comments on the wording without changing the concept. Ms. Nielson asked for comments to be sent to the Paducah staff to incorporate comments and distribution to all Chairs and Federal Coordinators. A special Chairs call will be scheduled for October 25 to discuss the wording in the letters and dates for the meeting in Hanford. The regular Chairs calls will be tentatively scheduled for November 29 and January 31.

Public Comment

Mr. Vander Boegh, citizen, returned to make further comments and said he appreciated Mr. Rispoli's comments on public participation and believes Paducah needs additional public participation. He believes the Paducah Board has a screening process and not allowing additional people on the Board. He said he believes Paducah has TRU waste that is found in the wildlife area and around the community where it was released. He said he has not seen the analytical data but alleged there is plutonium in the drinking wells of some members of the community and had to abandon their wells. Independent sampling may be done on some of the wells. Mr. Vander Boegh alleged that plutonium 30 times background level was found in a person's tomatoes. Mr. Vander Boegh said he is interested in helping the sick workers. He will be investigating cancer rates in the local community.

Although time was made available for his comments in the morning session, Mr. Vander Boegh claimed that there was an attempt by DOE officials to keep him from public comment earlier in the meeting. Mr. Vander Boegh said he had handouts on the

retaliation of workers.

Mr. Johnson, citizen and former PGDP worker, said he would like to see involvement of the public at Paducah. He claimed he was forced to leave work at the PGDP because of harassment due to him telling the truth about DOE. He said the job of the CAB was to ensure that DOE is doing the right thing.

Upcoming Chairs Meeting Discussion

The next EM SSAB Chairs' meeting is scheduled for spring 2008 and will take place in Hanford. Potential topics for the next meeting include an overview of the Quarterly Project Management Matrix, Mark Gilbertson presenting Groundwater Technology, the Office of Communication discussing internal and external communication, a Waste Disposition update, and Long-Term Stewardship including the CD-4 process.

Ms. Nielson adjourned the meeting.